

AMENDED IN SENATE MAY 10, 2005

AMENDED IN SENATE APRIL 27, 2005

**SENATE BILL**

**No. 255**

**Introduced by Senator Torlakson**

February 15, 2005

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An act to amend Sections 9853, 9860, 9861, and 9863 of the Vehicle Code, relating to vessels, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 255, as amended, Torlakson. Vessel registration: fees.

(1) Existing law imposes fees for initial registration and renewal of registration of vessels that includes a fee of \$10 for a 2-year registration.

This bill would increase that fee to \$20.

~~(2) Under existing law, funds in the Harbors and Watercraft Revolving Fund derived from specified sources that are in excess of the amount determined by the Director of Finance to be necessary for expenditure for the administration of vessel registration provisions by the Department of Motor Vehicles are continuously appropriated to the Department of Boating and Waterways, without regard to fiscal years, for certain local and state boating safety and enforcement programs.~~

~~This bill, instead, would require those continuously appropriated funds to be expended as follows: (a) the first \$10 of each biennial registration fee in accordance with the above described purposes; and (b) the remainder of the initial vessel registration and annual fees to be expended, at the discretion of the Department of Boating and Waterways and in conformance with law, for a program or programs~~

~~under that department's jurisdiction. The bill would thereby make an appropriation.~~

*The bill would require the funds derived from increasing the fee to be allocated, upon appropriation, to the Department of Boating and Waterways for expenditure in support of programs under the department's jurisdiction.*

Vote:  $\frac{2}{3}$  majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 9853 of the Vehicle Code is amended to  
2 read:

3 9853. (a) The owner of each vessel requiring numbering by  
4 this state shall file an initial application for a number with the  
5 department or with an agent authorized by the department on  
6 forms approved by the department. The forms shall be prepared  
7 in cooperation with the Department of Boating and Waterways.  
8 The application shall contain the true name and address of the  
9 owner and of the legal owner, if any, and the hull identification  
10 number of the vessel as may be required by the department. The  
11 application shall be signed by the owner of the vessel and shall  
12 be accompanied by a fee of nine dollars (\$9), in addition to the  
13 fees required under subdivision (b), except that an owner of a  
14 vessel registered outside this state who is submitting an  
15 application for registration in this state shall pay a fee of  
16 thirty-seven dollars (\$37), in addition to the fees required under  
17 subdivision (b).

18 (b) (1) Whenever the fee for original registration of a vessel  
19 becomes due between January 1 and December 31 of any  
20 even-numbered year, the application shall be accompanied by a  
21 fee of ten dollars (\$10), in addition to any other fees that are then  
22 due and payable.

23 (2) Whenever the fee for original registration of a vessel  
24 becomes due, or is filed with the department, between January 1  
25 and December 31 of any odd-numbered year, the application  
26 shall be accompanied by a fee of twenty dollars (\$20) in addition  
27 to any other fees that are then due and payable.

28 SEC. 2. Section 9860 of the Vehicle Code is amended to  
29 read:

1 9860. (a) Certificates of number shall be renewed before  
2 midnight of the expiration date by presentation of the certificate  
3 of number last issued for the vessel or by presentation of a  
4 potential registration card issued by the department.

5 (b) The fee for renewal shall be twenty dollars (\$20) for each  
6 two-year period, and shall accompany the request for renewal.

7 (c) If the certificate of number and potential registration card  
8 are unavailable, the fee specified in Section 9867 shall not be  
9 paid.

10 SEC. 3. Section 9861 of the Vehicle Code is amended to  
11 read:

12 9861. All certificates of number expire on December 31 of  
13 every odd-numbered year.

14 ~~SEC. 4. Section 9863 of the Vehicle Code is amended to~~  
15 ~~read:~~

16 ~~9863. Fees received, except moneys collected under Section~~  
17 ~~9875, pursuant to this chapter shall be deposited in the Harbors~~  
18 ~~and Watercraft Revolving Fund and, notwithstanding Section~~  
19 ~~13340 of the Government Code, are continuously appropriated,~~  
20 ~~without regard to fiscal years, for the administration of this~~  
21 ~~chapter by the department. Funds in the Harbors and Watercraft~~  
22 ~~Revolving Fund derived pursuant to this chapter in excess of the~~  
23 ~~amount determined by the Director of Finance, from time to~~  
24 ~~time, to be necessary for expenditure for the administration of~~  
25 ~~this chapter, notwithstanding Section 13340 of the Government~~  
26 ~~Code, are continuously appropriated to the Department of~~  
27 ~~Boating and Waterways, without regard to fiscal years, for the~~  
28 ~~following purposes:~~

29 ~~(a) The first ten dollars (\$10) of each biennial registration fee~~  
30 ~~in accordance with Section 663.7 of the Harbors and Navigation~~  
31 ~~Code.~~

32 ~~(b) The remainder of the initial vessel registration and annual~~  
33 ~~renewal fees shall be expended, at the discretion of the~~  
34 ~~Department of Boating and Waterways and in conformance with~~  
35 ~~law, for a program or programs under that department's~~  
36 ~~jurisdiction.~~

37 *SEC. 4. Section 9863 of the Vehicle Code is amended to read:*

38 *9863. All fees received,—(a) Except as required under*  
39 *subdivision (b), and except moneys collected under Section*  
40 *9875, fees received pursuant to this chapter shall be deposited in*

1 the Harbors and Watercraft Revolving Fund and, notwithstanding  
2 Section 13340 of the Government Code, are continuously  
3 appropriated, without regard to fiscal years, for the  
4 administration of this chapter by the department. ~~Any funds~~  
5 *Funds* in the Harbors and Watercraft Revolving Fund derived  
6 pursuant to this chapter in excess of the amount determined by  
7 the Director of Finance, from time to time, to be necessary for  
8 expenditure for the administration of this chapter,  
9 notwithstanding Section 13340 of the Government Code, are  
10 continuously appropriated to the Department of Boating and  
11 Waterways, without regard to fiscal years, for expenditure in  
12 accordance with Section 663.7 of the Harbors and Navigation  
13 Code.

14 *(b) Funds derived from imposition of the biennial registration*  
15 *fee under paragraph (2) of subdivision (b) of Section 9853, or*  
16 *under Section 9860, shall be distributed as follows:*

17 *(1) One-half shall be continuously appropriated pursuant to*  
18 *subdivision (a).*

19 *(2) One-half shall be allocated, upon appropriation, to the*  
20 *Department of Boating and Waterways for expenditure in*  
21 *support of programs under the department's jurisdiction.*